S.B.CRIMINAL REVISION PETITION NO.661/2007
(Satya Narain Vs. State & Ors.)

Date of order : 6.9.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. Sandeep Mehta with
Mr. Vineet Jain, for the petitioner.
Mr. Vishnu Kachwaha, Public Prosecutor.
Mr. G.J. Gupta, for non-petitioner.

Heard learned counsel for the parties.

The non-petitioner No.2 preferred a revision petition before the Addl. Sessions Judge, Bhilwara against the order dated 29.9.2006, rejecting the complaint in which the petitioner was not impleaded as party. The revision court without hearing the petitioner has passed the order for taking cognizance against the petitioner.

In this view of the matter, it is apparently clear that the revisional Court has passed the impugned order without providing any opportunity of hearing to the petitioner. Therefore, in the interest of justice, the impugned order dated 26.5.2007 passed by Addl. Sessions Judge (Fast Track) No.1, Bhilwara is set aside qua the petitioner and the case is remitted to the revisional Court with a direction to decide the matter afresh on merit after providing opportunity of hearing to the petitioner against whom the cognizance

has been ordered to be taken by the revision Court.

Accordingly, the revision petition is allowed.

(GOPAL KRISHAN VYAS), J .

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